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Attorney for Quentin Armstrong

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,
Plaintiff,

vs.

QUENTIN ARMSTRONG,

Defendant.

CASE NO: 2:19-cr-00133-APG-VCF

**STIPULATION TO CONTINUE
CHANGE OF PLEA HEARING**

(First Request)

IT IS HEREBY STIPULATED AND AGREED by QUENTIN ARMSTRONG, by and through his attorney, JAMES A. ORONOZ, ESQ., and the United States of America, by and through KEVIN D. SCHIFF, ESQ., Assistant United States Attorney, that the change of plea hearing currently scheduled for December 2, 2020, be vacated and continued for not fewer than 45 days to a date and time that is convenient to this Honorable Court. The request for a continuance is based upon the following:

1. Due to safety issues and closures related to the coronavirus, COVID-19, the parties request that the change of plea hearing in this matter be continued. On March 19, 2020, the Chief Judge of the United States District Court for the District of Nevada issued Temporary General Order 2020-04, which stressed the need to eliminate in-person court appearances. Although Temporary General Order 2020-05 provides limited circumstances in which a change of plea hearing may be conducted via video conference, the parties in this case submit that the interests of justice will be best served by continuing the change of plea hearing in this case. On September 25, 2020,

the Chief Judge extended Temporary General Order 2020-05 until December 28, 2020.

2. Defense Counsel for Defendant Armstrong has spoken with his client, who is in custody, and Mr. Armstrong does not oppose the continuance.
3. Defense Counsel has spoken to Assistant United States Attorney, Kevin D. Schiff, and the Government has no objection to the continuance.
4. The additional time requested herein is not sought for purposes of delay.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
6. Pursuant to Temporary General Order 2020-03, the additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

DATED: November 24, 2020

Respectfully submitted,

/s/ James A. Oronoz
James A. Oronoz, Esq.
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/s/ Kevin D. Schiff
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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,
Plaintiff,

vs.

QUENTIN ARMSTRONG,
Defendant.

CASE NO: 2:19-cr-00133-APG-VCF

ORDER

(First Request)

FINDINGS OF FACT

Based on the pending Stipulation of counsel, and good cause appearing therefore, the Court finds:

1. Due to safety issues and closures related to the coronavirus, COVID-19, the parties request that the change of plea hearing in this matter be continued. On March 19, 2020, the Chief Judge of the United States District Court for the District of Nevada issued Temporary General Order 2020-04, which stressed the need to eliminate in-person court appearances. Although Temporary General Order 2020-05 provides limited circumstances in which a change of plea hearing may be conducted via video conference, the parties in this case submit that the interests of justice will be best served by continuing the change of plea hearing in this case. On September 25, 2020, the Chief Judge extended Temporary General Order 2020-05 until December 28, 2020.

2. Defense Counsel for Defendant Armstrong has spoken with his client, who is in custody, and Mr. Armstrong does not oppose the continuance.
3. Defense Counsel has spoken to Assistant United States Attorney, Kevin D. Schiff, and the Government has no objection to the continuance.
4. The additional time requested herein is not sought for purposes of delay.
5. Additionally, denial of this request for continuance could result in a miscarriage of justice.
6. Pursuant to Temporary General Order 2020-03, the additional time requested by this Stipulation is excludable in computing the time within which the trial herein must commence pursuant to the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

CONCLUSION OF LAW

The ends of justice served by granting said continuance outweigh the best interests of the public and the defense, since the failure to grant said continuance would be likely to result in a miscarriage of justice, would deny the defendant sufficient time and the opportunity within which to be able to effectively and thoroughly prepare for his change of plea hearing, taking into account the exercise of due diligence.

The continuance sought herein is excludable under the Speedy Trial Act, Title 18, United States Code, Section 3161(h)(7)(A), considering the factors under Title 18, United States Code §§ 3161(h)(7)(B)(i) and 3161(h)(7)(B)(iv).

ORDER

IT IS THEREFORE ORDERED that the change of plea hearing currently scheduled for December 2, 2020, at the hour of 4:00 p.m. be vacated and continued to the 3rd day of February, 2021, at the hour of 3:00 p.m. in courtroom 6C.

DATED AND DONE this 25th day of November 2020.


UNITED STATES DISTRICT JUDGE